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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,184	01/02/2002	David I. Poisner	42390.P12974	6681
10/037,184  01/02/2002  David I. Poisner  7590  02/28/2007  Saina S. Shamilov  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026  SHORTENED STATUTORY PERIOD OF RESPONSE  MAIL DATE	EXAMINER			
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard			PHAN, THANH S	
			ART UNIT	PAPER NUMBER
			2833	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE
3 MO	NTHS	02/28/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)		
•	10/037,184	POISNER, DAVID I.		
Office Action Summary	Examiner	Art Unit		
	Thanh S. Phan	2833		
The MAILING DATE of this communication app	pears on the cover sheet with the c	orrespondence address		
Period for Reply				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period v  - Failure to reply within the set or extended period for reply will, by statute. Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	N.  nely filed  the mailing date of this communication. D (35 U.S.C. § 133).		
Status				
1)⊠ Responsive to communication(s) filed on 21 Section	entember 2006			
	action is non-final.			
B) Since this application is in condition for allowance except for formal matters, prosecution as to the merit				
closed in accordance with the practice under E				
Disposition of Claims				
4) Claim(s) <u>1,3,5 and 48-60</u> is/are pending in the	application			
4a) Of the above claim(s) is/are withdraw				
5) Claim(s) is/are allowed.				
6)⊠ Claim(s) <u>1, 3, 5 and 48-60</u> is/are rejected.		•		
7) Claim(s) is/are objected to.				
8) Claim(s) are subject to restriction and/or	r election requirement.			
Application Papers				
9) The specification is objected to by the Examine	r			
10) The drawing(s) filed on is/are: a) acce	•	Examiner.		
Applicant may not request that any objection to the	•			
Replacement drawing sheet(s) including the correct	•	• •		
11) The oath or declaration is objected to by the Ex				
Priority under 35 U.S.C. § 119		· ·		
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	)-(d) or (f)		
a) ☐ All b) ☐ Some * c) ☐ None of:		(4) 0. (1).		
1. Certified copies of the priority documents	s have been received.			
2. Certified copies of the priority documents		on No		
<ol><li>Copies of the certified copies of the prior</li></ol>	rity documents have been receive	ed in this National Stage		
application from the International Bureau	ı (PCT Rule 17.2(a)).			
* See the attached detailed Office action for a list	of the certified copies not receive	∉d.		
Attachment(s)	" <b>.</b>	(270, 440)		
) I Notice of References Cited (PTO-892) ) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Ll Interview Summary Paper No(s)/Mail Da			
Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:			

Application/Control Number: 10/037,184

Art Unit: 2833

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5 and 48-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunstan [US 5,714,870].

Regarding claims 48-60, Dunstan discloses an electronic device configured for monitoring power consumed while said device is in a reduced power condition, comprising an electrical energy storage unite powering said device, a processor, a memory, a display device and a power consumption monitor, said power consumption monitor including means for respectively determining when said electronic device enters and exits the reduced-power state, a means for determining a charge capacity of said electrical energy storage unit before and after said electronic device is in the reduced power state, a means for determining a period of time for calculating charge capacity lost by said electrical energy storage unit during the period of time that the electronic device is in the reduced power state [see claim 13]; a means/method for interruption causing the processor to enter a reduced-power mode of operation [column 5; lines 36-39]. Dunstan discloses the claimed invention except the entering time is stored in the chip. The examiner takes official notice that it is well known to use chips to stores data/information in the micro-processing environment such as notebook computer. It

Art Unit: 2833

would have been obvious to one of ordinary skill in the art at time of the invention was made to store data in a chip or a memory means in Dunstan to facilitate rapid access to stored data for calculations purpose.

Regarding claims, 1-3 and 5, the method steps are necessitated by the apparatus structure.

### Response to Arguments

Applicant's arguments filed 09/21/06 have been considered but they are moot in view of the new ground(s) of rejection.

Applicant has amended the claim(s) to highlight "an interrupt routine associated with the interruption is allowed to executed after storing the time." This is now moot in view of the rejection above. As stated in the above rejection, Dunstan disclose wherein the system allow an interruption to the processor to enter a reduced power-state.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S. Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/037,184

Art Unit: 2833

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Page 4